

## Remarks

### I. Status of the Claims

Applicants preliminary amendment of October 4, 2000, presented claims 1-28 for Examination. In response to the presentation of these claims, the Examiner issued both a requirement for restriction and a requirement for election of species. Replying to this requirement, Applicants elected to pursue in this application the invention of claims 1-8, 13 and 18-24 (**Group I**). Accordingly, all other claims were canceled and claims 29-34 were added. Thus, at present claims 1-8, 13, 18-24 and 29-34 are currently pending.

Of these claims, claims 1, 4, 13, 20 and 29-34 have been examined due to Applicants' election of "Species A "R1-Rantes (2-68) or homologues: where R1 is defined in Claim 1" the species **n-nonanoyl RANTES (2-68)** (referred to in the specification as "NNY-RANTES 2-68"), corresponding to R<sup>1</sup>-RANTES (2-68) where: R<sup>1</sup> is CH<sub>3</sub>-(CH<sub>2</sub>)<sub>n</sub>-X-, in which n is 7 and X is -C(O)-.

Claims 2-3, 5-8, 18, 19 and 21-24 have been withdrawn from immediate consideration due to Applicants' election of species. It is believed that in light of the present Reply, generic claims 1 and 13 are Allowable, and that the Examiner will now proceed to Examine and Allow non-elected species claims 2-3, 5-8, 18, 19 and 21-24 as claims embraced within the scope of the Allowable generic claims.

### II. The Rejection for Double Patenting

Claims 1, 4, 13 and 20 have been rejected under the judicially created doctrine of obviousness-type double patenting in light of claims 1-9 of U.S. Patent No. 6,168,784. U.S. Patent No. 6,168,784 is commonly assigned with the present application. In response to such rejection, Applicants respectfully submit the enclosed Terminal Disclaimer, which terminally disclaims such portion of the patent that will issue on the present application that would exceed the term of U.S. Patent No. 6,168,784 and respectfully submit that such

action fully responds to the concerns of the Examiner. Accordingly, Applicants respectfully submit that the rejections based on the judicially created doctrine of obviousness-type double patenting may now be properly withdrawn.

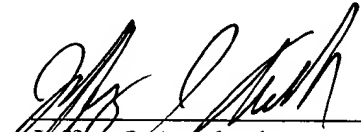
In light of Applicants action, generic claims 1 and 13 are believed to be Allowable. Applicants accordingly respectfully request the additional Examination and Allowance of Claims 2-3, 5-8, 18, 19 and 21-24 as species claims embraced within the scope of the Allowable generic claims.

**V. Concluding Remarks**

Applicants respectfully submit that the present application is in condition for Allowance and Examination of the non-elected species, and earnestly solicit early notice of such favorable action. The Examiner is respectfully invited to contact the undersigned with respect to any issues regarding this application.

Respectfully Submitted,

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